

An Interest in Intervention: A Moral Argument for Darfur

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Introduction

The United States government has consistently failed to act when faced with governments committing mass atrocities against their own citizens. Yet U.S. leaders acknowledge that the United States is capable of and responsible for such action. We have thus seen one U.S. administration after another crying “never again” after a humanitarian crisis or genocide, while allowing the crises to go on unhindered when they recur.

In response to this gap between belief and action, this paper proposes that the U.S. Government (USG) develop a policy toward genocide and other mass atrocities that is consistent with U.S. values. To underscore the practical and real need for such a policy, this analysis will examine the crisis in Darfur, Sudan. The paper will address three central questions: what is occurring in Darfur? What is the theoretical case for U.S. action in Darfur or any other mass murder? And how can this be carried out practically? These questions are extremely pertinent to U.S. policymakers and citizens as they help clarify how our country views and deals with humanitarian crises, if it should at all. The fundamental argument of this paper is that the United States does have an obligation to act in the Darfur crisis and in similar situations in the future, based on both interest and value-grounded rationale.

I aim in this paper to 1) outline the crisis in Darfur from 2003 to the present; 2) describe the U.S. response to the situation in Darfur; 3) delineate what I believe the U.S. should do/be doing in response to the crisis and 4) provide rationale for why the U.S. should undertake these or similar actions in response to genocide in Darfur or other nations in the future.

The scope of this paper is limited in two central ways. First, in addressing human rights violations that necessitate U.S. attention and action, I am speaking to situations in which a government or group within a country is committing mass abuses to a degree that “shocks the human conscience.” This is with an understanding that very basic laws of morality are universally available to human reason. The “atrocities” discussed in this paper entail those along the lines of genocide, ethnic cleansing, gendercide, or mass extermination.¹ The humanitarian crises referenced in this paper refer to objective crises in which mass atrocities are being committed by one group versus another, including but not limited to genocide. I am referencing here a (relatively) sudden act that could necessitate emergency status. Thus, excluded are “nation-building” operations, interventions in the case of a failing state, or interventions for purely economic or strategic purposes.

The second limitation of scope in this paper is the aspect of ethics that I am suggesting be

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<http://www.africa.ufl.edu/asq/v10/v10i1a4.pdf>

added to American foreign policy. Though a perfectly consistent, moral foreign policy may be the ultimate goal of several theoretical approaches referenced here, developing this idea is not the goal sought here. Rather, I am addressing the addition of ethics and consistency in responses to mass humanitarian crises and atrocities. This paper is not intended to cast other governments or delineation of economies or political systems in terms of “good” and “evil.” It is not intended to promote or devalue any alliance with any other government along these lines, nor do I advocate forcible “regime change” from authoritarian to democratic.

THE CRISIS IN DARFUR: 2003-PRESENT

The crisis in Darfur began to unfold as the Sudanese North-South Peace Agreement was coming to a close. The agreement was a momentous feat, bringing a 21-year long civil war to an end. Darfurians had appealed to the Sudanese government to include their concerns in the peace talks. These requests were ignored. Citizens in the Darfur region of Sudan were deliberately excluded from the talks and shortchanged by the negotiations and the power and wealth-sharing agreements that were arranged. This was compounded by the Sudanese government’s historic neglect of investment in Darfurian roads, schools, hospitals, communications facilities, and other hard and soft infrastructure in the region. Two rebel groups - the Justice and Equality Movement and the Sudan Liberation Movement - responded to the discrimination by calling for rebellion against the Government of Sudan (GoS).²

The Sudanese government responded to the rebellion by cracking down with disproportionate force against rebels and civilians in Darfur. The GoS also recruited militia groups in the region to raid villages and conduct massive killing sprees in Darfur. These militia groups came to be known as the “Janjaweed,” which literally means “evil horsemen.” The results of this four year catastrophe are as follows: 2.5 million Darfurian refugees and internally displaced persons; over 300,000 Darfurians killed or dead from related causes, a majority of whom are Sudanese citizens; thousands of abductions and rapes; around 1,000 villages burned to the ground; millions of livestock stolen; and a virulent spread of disease and malnutrition throughout the region. Attacks include violent and brutal crimes against humanity, including rapes of pregnant women, murder of male and female civilians of all ages, gang-rapes of women, other forms of sexual violence against men and women, abduction of children, and killing of infants. Rebel troops and government protestors face even worse torture and violence.

A wide body of evidence has emerged - much of which has been compiled by the U.S. Department of State, USAID, and the United Nations - proving that the Janjaweed are indeed government backed and sponsored.³ Sudanese Army and Air Force units and equipment are frequently spotted during attacks and from satellite imagery. Predictably, the Sudanese government has denied the existence of genocide and has broken established cease-fires, all the while continuing its campaign against primarily civilians in Darfur.

The U.S. Record on Darfur

The Bush administration, in dealing with the Darfur crisis, has done something that few administrations have done when confronted with genocide, ethnic cleansing or similar

catastrophes: it has refused to claim ignorance. This action stands in contrast to U.S. government responses to the Armenian massacre in Turkey, the killing fields of Cambodia, Saddam Hussein's cleansing of the Kurds in Iraq, the Rwanda genocide, and other mass atrocities.

In September of 2004, Colin Powell called the situation in Darfur "genocide" after reviewing a report from a U.S.-sponsored investigation. President Bush did the same in a speech to the United Nations soon thereafter.⁴ These were important first steps for taking positive action to deescalate the crisis in Sudan. By calling what is happening by its proper name – genocide – the administration and Congress have increased awareness of the issue throughout the U.S. and the world.

The U.S. also allowed 51 members of the Sudanese government and Janjaweed militias to be referred to the International Criminal Court (ICC) in April 2005.⁵ This was an historic precedent and weighty gesture given the U.S.'s typical stance of disregard toward the ICC – disregard based on a fear of U.S. sovereignty being encroached upon.

The U.S. catalyzed negotiations that produced the Darfur Peace Agreement in May of 2006. Though this was a positive step displaying U.S. concern and involvement, the peace agreement was deeply flawed. The agreement excluded one of the two main rebel groups and resulted in the rebel groups turning against each other, which the Sudanese government was only too glad to witness.

On April 18, 2007, after visiting a new photographic exhibit in at the Holocaust Museum in Washington, D.C., President Bush remarked that he "saw an exhibit that puts faces on the millions of men, women, and children who have been killed or driven into the desert...No one who sees these pictures can doubt that genocide is the only word for what is happening in Darfur - and that we have a moral obligation to stop it."⁶

Despite these positive steps, the United States government response to the Darfur genocide is insufficient. Diplomatic efforts with and current sanctions placed on the GoS have proven ineffective. The genocide has lasted four years and I argue that, on the grounds of both moral and self-interested rationale, the U.S. has an obligation to make reasonable sacrifices to bring an end to the atrocities.

What the U.S. Should Do in Darfur

U.S. policymakers have several options for action in the Darfur crisis. These include diplomatic processes (including diplomatic pressure on China to divest from Sudan) economic sanctions, arms embargoes, support of a NATO, UN or African Union (AU) peacekeeping force, and sending in U.S. troops. I will explore here the options of a NATO force, an AU force, and diplomatic pressure of China.⁷

One policy option the U.S. could choose to pursue is promoting NATO involvement in Darfur. This would decrease the chance that U.S. troops would be sent to Sudan and perhaps make the political will needed to support the mission more enduring. The counterargument to this policy proposal, as articulated by Christopher Preble of the Cato Institute, is that directing NATO troops toward a mission in Darfur will decrease the focus on NATO's mission in Afghanistan. This could become a "distraction" that threatens the security of NATO member nations and the world at large, according to Preble.⁸

Instead of NATO or U.S. troops, Preble asserts that a fortified African Union force is the only viable way that peace will be achieved and maintained in Sudan. Many share this perspective with him. There is no doubt that using regional organizations and forces to bring an end to regional conflicts or crises is the ideal. In this case, the solution would come from within, and references to a reinvigorated imperialism are avoided. The African Union's "Constitutive Act" declares "the right of the Union to intervene in a member state pursuant to a decision of the assembly [where all member states are represented] in respect of grave circumstances, namely war crimes, genocide and crimes against humanity."⁹ The problem is that the African Union is severely under-funded, under-staffed and under-supported. The only way an African Union force can succeed is through monetary assistance and military and communications equipment from the developed world.

Most recently, multilateral international movement has become the most viable possibility for ending the genocide in Darfur. Global support exists for a mixed intervention force of African Union troops, UN peacekeepers, and regional police forces.¹⁰ The United States has the option to provide resources and support or to stall, hide behind empty rhetoric and ignore the situation in Darfur – much as it did during the 1994 Rwandan genocide that cost the lives of 800,000 people in a 100-day massacre.

The United States must also place diplomatic pressure on China to divest from Sudan. China has developed increasing economic ties with Sudan in the past several years, in part due to Sudan's oil resources and China's ability to provide weapons to the Sudanese government in exchange. This contributes to the continued strength of the regime and its ability to conduct a genocidal war against rebel troops and civilians in Darfur.¹¹ Some pressure has been put on China to divest, but this has primarily come from the European Union. The U.S. of course fears putting a damper on its prosperous economic relationship with China, often precluding any U.S. critique of Chinese policies, but this is an extreme case and this should indeed be done.

After examination of what the U.S. should do to end the atrocities in Darfur, the question of peace maintenance arises. This is a complex question, with hints of imperialism to those already skeptical of American power and overreach in the world today. Nonetheless, author and philosopher Michael Walzer does suggest the possibility of trusteeships and protectorates after a genocidal government has been deposed or begun to decompose.¹² A trusteeship takes place when the intervening country essentially sets up shop in the nation, ruling it directly. This option has much heavier overtures to colonization and risks lowered support from the citizens of the nation in crisis, particularly if the ruling nation is the United States or a former colonial power. A protectorate, on the other hand, involves bringing a local group or collection of groups to power to keep the atrocities from resuming. In the case of Darfur, this might be an option as the African Union (with the support of the U.S., UN and other relevant parties and nations) might be able to broker an arrangement in which power is distributed more equitably.

Why the U.S. Should Care about Darfur in the First Place: The Case for Intervention

There are several theoretical and practical reasons why the U.S. should intervene to stop the atrocities in Darfur or any other place they may occur. This section will address arguments against intervention and interest and value-based rationale in support of humanitarian

intervention.

One common argument against intervention by one nation in another nation's internal affairs is the principle of non-intervention, which has been a foundational aspect of international law since the Peace of Westphalia in 1648. David Chandler, in *From Kosovo to Kabul and Beyond*, makes the argument that if this principle of non-intervention is repeatedly broken, the order of the state system will erode as respect for sovereignty decreases.¹³

However, a new consensus is emerging (albeit a limited consensus at this point) that "sovereignty is not absolute and that citizens as well as governments have rights" and that "the act of genocide is proof that the state has failed in its duty to its citizens...it should, as a result, forfeit some or all of its sovereignty."¹⁴ That is, when state-sanctioned atrocities occur against a state's own citizens, that state loses its claim to sovereignty, leaving the door open for humanitarian intervention, militarily or otherwise. This also encapsulates the growing notion that human security, not only state security, is an important consideration in foreign policymaking as well as domestic policymaking.

Furthermore, humanitarian interventions are not a free-for-all, they are not "justified for the sake of democracy or free enterprise or economic justice or voluntary association or any other of the social practices and arrangements that we might hope for or even call for in other people's countries...their aim is...to put a stop to actions that... 'shock the conscience' of humankind."¹⁵ Humanitarian interventions clearly should not be motivated by covert purposes or to achieve a strategic goal for the intervening nation, and interventionist policies must certainly be qualified.¹⁶ But this does not mean that they should not occur under certain circumstances. Walzer points out that "yes, the norm is not to intervene in other people's countries; the norm is self-determination. But not for these people, the victims of tyranny, ideological zeal, ethnic hatred, who are not determining anything for themselves, who urgently need help from outside."¹⁷ The principle of sovereignty and non-intervention loses its force and theoretical foundation in the face of genocide and similar atrocities.

The principle of sovereignty as limiting intervention can be countered by a final redefinition of sovereignty. Anne Marie-Slaughter calls this redefinition "sovereignty as responsibility," in which an important aspect of sovereignty becomes a nation's ability to uphold its duties to its citizens.¹⁸ This may include very basic human rights, such as the right to life, but the major tenet is simply a "responsibility to protect." Even with this very basic definition, it is clear that the Sudanese government has shown remarkable inability to uphold its duty to a part of its citizenry. On these grounds, it has also sacrificed its sovereignty, at least in part.

Theorists focusing on great power politics tend to downplay the importance of Africa in the international system except when African countries enter into the interests of the great powers. The United States (and other developed countries) typically does not include African well-being as part of its "national interest." This has contributed to a general neglect of humanitarian and health crises on the continent, and this neglect has fed the Sudanese government's ability to continue its ethnic cleaning campaign without major opposition.

The Independent Task Force on U.S. Policy toward Africa, organized by the Council on Foreign Relations, appropriately underscores the nearsightedness of such a narrowly defined "national interest." The task force points out that

By the end of the decade, sub-Saharan Africa is likely to become as important a source of

U.S. energy imports as the Middle East...Africa is also one of the battlegrounds in the fight against terrorism. Osama bin Laden based his operations in Sudan before setting up shop in Afghanistan...Mass killings in the Darfur region of Sudan and the persistence of conflict on the continent challenge the world's will to spotlight, prevent, and stop atrocities. Africa is also the epicenter of the world's most serious health pandemic, HIV/AIDS.¹⁹

Thus it is clear that a more broadly-defined national interest will necessitate attention toward Darfur and similar crises.

Furthermore, a focused and narrow national interest is in danger of missing an important point. The U.S. national interest is consistently shifting, and has necessarily shifted since the end of the Cold War. During the Cold War era, resources and policymakers focused on the potential for great power war.²⁰ Since the dissolution of the Soviet Union in 1991, the major problems and foci have instead become ethnic, religious, and civil wars and conflicts. This shift from a bipolar to a unipolar world necessitates a new approach for creating a stable international system. Thus, U.S. resources should be allocated to deal with this new system in a new way.

Scholars and policymakers who propose that international stability is not relevant to U.S. national interests misunderstand the very nature of a globalized world. A globalized world, by definition, is one that entails aggregated systems of all types: economic, communications, transportation, ecological, and others. International stability levels have the potential to feed in to each one of these systems, thereby affecting American quality of life either positively or negatively (albeit to varying degrees). Genocide and similar atrocities have historically shown to have destabilizing effects. Because of globalization, this may have an (indirect or direct) negative effect on the American national interest.

In the Darfur genocide, for instance, millions of refugees have fled over the Sudanese-Chadian border into Chad, contributing to higher monetary and resource costs for the already poor government of Chad. The humanitarian crisis that has ensued in both Chad and Sudan divert resources from important areas in need of funding such as education, the fight against the HIV/AIDS epidemic, and economic development. In a world of independent nations, U.S. policymakers could write this off as irrelevant to the national interest. But in a globalized world, airplanes cross borders thousands of times a day, and the U.S. imports goods and resources from hundreds of nations, and nuclear weapons can be launched from one continent and hit another. Though these impacts might be irrelevant in the Darfur genocide, they might become far more relevant in a future genocide in a more strategically-relevant location. Ideas and products flow freely in this age, and it is certainly in the U.S. national interest to prevent the spread of the instability caused by genocide in our globalized world.

What makes an activist approach when faced with genocide or similar events far more compelling is the argument that action is not only consistent with U.S. *interests* but also with U.S. *values*. Values are important because, in a multi-cultural, multi-lingual, multi-ethnic country such as the United States, they are precisely what bring American citizens together as a nation. The values upheld in the U.S. Declaration of Independence and Constitution are the glue that gives American people a shared identity. They are thus of immense weight in U.S. survival as a nation. Our values should be upheld consistently both in domestic and foreign policy. An inconsistent application of our values in the broadest sense will lead to an erosion of the strength of the United States as a common nation as values are indeed the foundation.

The Genocide Convention, which was drafted in 1948 and ratified by the U.S. by President Reagan in 1988 says that the U.S. (and all member states) commit to *prevent and punish genocide*. In the case of Sudan, President Bush, high-ranking cabinet officials and U.S. Senators have all explicitly referred to the crisis in Darfur as “genocide.” This therefore carries with it in an obligation to act.

The United States has been one of the most ardent promoters of global “human rights” since WWII, having led the passage of the Universal Declaration on Human Rights. It has been the driving force behind the concept of fundamental and global human rights. U.S. leaders travel to other countries on a regular basis and invoke the importance of democracy and human rights in high-level diplomatic meetings. The U.S. Congress frequently forces countries to achieve “Human Rights Certification” before American funding or aid can flow to that country. Despite these actions, the U.S. consistently fails to ratify treaties that it gets passed, refusing to be subject to international law in any form.²¹ This gap between (professed) belief and action is one that undermines far more than the credibility of the U.S. in the world. It also decreases the ability of U.S. to promote security through other countries’ subscription to important treaties like the Nuclear Nonproliferation Treaty. Other nations have far less of an impetus to participate in organizations and treaties or to subjugate their own power or sovereignty to an outside body when the global hegemon and alleged “leader” refuses to do so itself. This has far-reaching implications. As other countries observe the U.S. disregard for international norms and lack of consequences, they will have an incentive to flout those norms themselves, which could impact situations from nuclear weapons inspections in Iran to a potential UN-led peace process for Israel and Palestine.

One argument for a foreign policy that incorporates a set of ethical standards that are applied consistently is that they strengthen U.S. initiatives in all areas. The United States will generally be more successful in international initiatives to achieve whatever goals it lays out if countries are in support of, rather than opposed to, the U.S. This idea works in tandem with the idea that “perceived hypocrisy is particularly corrosive of power that is based on proclaimed values. Those who scorn or despise us for hypocrisy are less likely to want to help us achieve our policy objectives.”²² Supporting even this minimalist version of human rights consistently – the right to have life – is an action the U.S. can take to gain favor and support in the world, and be seen as a state that uses its force to protect the public good in dire circumstances.

When the United States refuses to act on its anti-genocide rhetoric, it betrays a crucial value and a crucial interest: it betrays our belief in human rights (including the foundational belief in a right to life) and it betrays our abidance by international norms, which has long-term implications for the security and power of the United States.

CONCLUSION AND POLICY RECOMMENDATIONS

U.S. leaders and policymakers have frequently decried genocides after they occur. After the massacre of one million Armenians in Turkey in the early 1900s, then-U.S. Ambassador Henry Morgenthau, Sr. departed for the U.S., stating that “my failure to stop the destructions of the Armenians had made Turkey for me a place of horror – I had reached the end of my resources.”²³ When the Genocide Convention was up for a vote in the U.S. Senate in 1986,

Senator Dole declared, “We have waited long enough...as a nation which enshrines human dignity and freedom...we must correct our anomalous position on this basic rights issue.”²⁴ President Clinton called his inaction in Rwanda the worst failure and biggest regret of his presidency. And current President Bush has repeatedly claimed that genocide will not be allowed to occur on his watch. U.S. leaders throughout the 20th and into the 21st century have called for an end to genocide and similar crimes, and found themselves ashamed when they ignored what was happening. Yet the rhetoric of these and other leaders consistently fails to provoke meaningful action to derail the crisis.

There are innumerable barriers to creating a consistent policy for dealing with genocide and similar crises, if only for the fact that each one is innately different. However, if national leaders are willing to match their rhetoric toward genocide with action and policy measures, it can be done. Any developed policy plan will be necessarily vague to account for differences in the situation at hand. The President should issue a Presidential Decision Directive (PDD) making formal the idea that the United States will not allow another Rwanda or Darfur to unfold without attention and movement on its part. This should also include the idea that the term “genocide” does not have to be invoked before action is taken, as the word is not often used until thousands are already dead.²⁵ The State Department should also develop a plan for atrocity prevention and work with the UN Security Council to establish norms and rules for humanitarian intervention in the case of genocide.²⁶

The action proposed for the U.S. Government toward Darfur provides a normative framework that can be used when dealing with similar situations in the future. To summarize, this involves maintaining an acute awareness of genocides and similar atrocities around the world at all times (this is not difficult for the U.S. Government – this is already being done, albeit not publicly); using diplomatic measures, political pressure and economic sanctions and other economic tools to achieve the desired result (cessation of the atrocities); logistical, financial, and resource support for regional organizations and forces able to intervene militarily, and finally, U.S. military intervention. The United States should also support International Criminal Court procedures for the prosecution of Sudanese officials and Janjaweed leadership who have incited and perpetuated the genocide. This is a policy of gradual escalation toward the government or group committing the genocide, and each step should be used in succession.²⁷ However, this should not understate the importance of preventive diplomacy and measures in every case.

I do believe it is possible, and important, for rhetoric to match action. The world is witnessing terrible atrocities in Darfur and leaders have named this genocide. The United States has an ethical obligation to act for the preservation of life in Sudan due to the values it holds domestically and the basic human rights it reinforces internationally. Key interests are also at stake. U.S. national leadership must recognize that adherence to international norms play an important role in power-maintenance in the long-run, and this is applicable with the Genocide Convention as much as anything.

Notes:

1. Thus, it should be clear that I am not referencing more low-intensity (albeit despicable) human rights abuses that arise from political oppression, gender discrimination,

- authoritarian regime types, et al.
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 5. Aslam, Abid. 4/8/05. "On Anniversary of Rwanda Genocide, Activists Demand Action on Darfur." *WorldRevolution.org*. [http://www.worldrevolution.org/article/182⁹
 6. Office of the Press Secretary, The White House. 4/16/07. "President Bush Visits the United States Holocaust Memorial Museum." [http://www.whitehouse.gov/news/releases/2007/04/20070418.html]
 7. I purposely exclude a discussion of a U.S. peacekeeping force, given the current military overstretch in place due to campaigns in Iraq and Afghanistan. This subject warrants its own examination of misallocation of U.S. resources and the long-term consequences of this misallocation.
 8. Preble, Christopher. 2006. "Let the African Union Intervene in Darfur." *CATO Institute*: Washington, D.C. [http://www.cato.org/pub_display.php?pub_id=635³
 9. Haass, Richard. 2005. *The Opportunity*. Public Affairs: New York: 50.
 10. Sarrar, Salah. 4/29/07. "U.S. Sees Progress on Darfur solution, Peacekeeping." *Reuters AlertNet*: Tripoli.
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 19. Lake, Anthony and Christine Todd Whitman, chairs. 2006. *More than Humanitarianism: A Strategic U.S. Approach toward Africa*. Independent Task Force Report No. 56. Council on Foreign Relations: New York: xiii.
 20. Layne, Christopher. 2006. *The Peace of Illusions: American Grand Strategy from 1940 to the Present*. Cornell University Press: New York: 203.
 21. Ignatieff, Michael: ed. 2005. *American Exceptionalism and Human Rights*. Princeton University Press: New Jersey.
 22. Nye, Joseph. 2004. *Soft Power: The Means to Success in World Politics*. Public Affairs: New York.
 23. Morgenthau, Henry. *Ambassador Morgenthau's Story*. Taderon Press: 2000: 385.

24. *Congressional Record*, 99th Congress, 2nd Session, 1986, 132, pt. 15: S1355.
25. Feinstein, Lee. 2007. "Darfur and Beyond: What is Needed to Prevent Mass Atrocities." Council on Foreign Relations: CSR No. 22.
26. Feinstein, Lee. 2007. "Darfur and Beyond: What is Needed to Prevent Mass Atrocities." Council on Foreign Relations: CSR No. 22.
27. "Gradual escalation" is not used militarily in this context.

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